

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Maple Road, 395' N of
Holly Neck Road
(1128 Maple Road)
15th Election District
5th Councilmanic District

Edward Palasik, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-384-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 1128 Maple Road, located in the vicinity of Holly Neck in the Cedar Beach subdivision. The Petition was filed by the owners of the property, Edward and Janet Palasik. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 52 feet in lieu of the required 75 feet, for a proposed 22' x 40' addition. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion

ORDER RECEIVED FOR FILING
Date 5/23/95
By [Signature]

[Handwritten signature]

of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas near Sue Creek, and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioners must submit a findings plan for review and approval by DEPRM prior to the issuance of any permits and the relief granted herein shall be conditioned upon Petitioner's compliance with any recommendations made by DEPRM upon completion of their review.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of May, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 52 feet in lieu of the required 75 feet, for a proposed 22' x 40' addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

ORDER RECEIVED FOR FILING


Date

By

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioners shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments. There shall be only one kitchen to serve the subject dwelling and proposed addition.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:pjs

ORDER RECEIVED FOR FILING
Date 5/23/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 23, 1995

Mr. & Mrs. Edward Palasik
1128 Maple Road
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Maple Road, 395' N of Holly Neck Road
(1128 Maple Road)
15th Election District - 5th Councilmanic District
Edward Palasik, et ux - Petitioners
Case No. 95-384-A

Dear Mr. & Mrs. Palasik:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-43391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Harold Bunnell
HJ & R Contractors, P.O. Box 15453, Baltimore, Md. 21221

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File

✓



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1128 MAPLE ROAD

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 TO PERMIT A SIDE

YARD AND STREET CENTERLINE SETBACK OF 20 FT. AND 52 FT. IN LIEU
OF THE REQUIRED 50 FT AND 75 FT RESPECTIVELY (FOR A PROPOSED ADDITION)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

UNABLE TO BUILD HOUSE AND GARAGE ADDITION DUE TO 50' SET-BACK REGULATION.
PROPERTY WOULD ONLY HAVE 20' . SEE ATTACHMENT.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

EDWARD PALASIK

(Type or Print Name)

Signature

JANET PALASIK

(Type or Print Name)

Signature

1128 MAPLE ROAD

574-6228

Address

Phone No.

BALTIMORE

MARYLAND

21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

HAROLD BUNNELL; HJ& R CONTRACTORS

Name

P.O. BOX 15453

391-6811

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

REVIEWED BY: *[Signature]*

DATE: 4/27/95

ESTIMATED POSTING DATE: 5/07/95



Printed with Soybean Ink
on Recycled Paper

Zoning Commissioner of Baltimore County

ITEM #: 383

[Handwritten signature]

ORDER RECEIVED FOR FILING
5/23/95
160

95-384-A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1128 MAPLE ROAD
address
BALTIMORE MARYLAND 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

UNABLE TO BUILD HOUSE AND GARAGE ADDITION TO HOME DUE TO 50' SET-BACK
REGULATION. PROPERTY WOULD ONLY HAVE 20' .

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Edward Palasik
(signature)
EDWARD PALASIK
(type or print name)



Janet Palasik
(signature)
JANET PALASIK
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of April, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Edward Palasik & Janet Palasik

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-12-95
date

NOTARY PUBLIC

My Commission Expires:

Shirley D. Fuller
10-3-95

383

95-384-A

ATTACHMENT FOR PRAC. DIFF. + HARDSHIP

Due to small size of house and lot 50' side set back is not possible to add
Addition - House has no basement for storage or living space.

UNRECORDED

95-384-A

383

ZONING DESCRIPTION FOR 1128 MAPLE ROAD

WEST *g*

Beginning at a point on the ~~south~~ side of Maple Road which is twenty-five (25) feet wide at the distance of ~~225~~ ^{325 *g*} feet north of the centerline of the nearest improved intersecting street Holly Neck Road which is twenty-five (25) feet wide. *Being lot # 13-A, 14, 14-A & 15 Block 1128, Section # C in the subdivision of Cedar Beach as recorded in Baltimore County Book # seven (7), Folio # 186, containing 14,000 square feet. Also known as 1128 Maple Road and located in the 15th Election District, 5th Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-384-17

District 1508

Date of Posting 5/17/95

Posted for: Variances

Petitioner: Edward & Janet Palsait

Location of property: 1128 Maple Rd, W/S

Location of Signs: Facing roadway, on property being zoned

Remarks:

Posted by M. McCalley
Signature

Date of return: 5/12/95

Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-384-A

Account: R-001-6150

Number 383

By JLL

Date

4/27/95

1 RV ADMIN 010	50.00
1 SIGN POSTING 080	35.00
TOT. =	\$85.00

CRITICAL
AREA

PALASIK
1128 MAPLE RD

PAID BY H. J. + R CONTRACTORS INC.

MICROFILMED

01A01W0149M1CHRC

\$85.00

BA COLL#19AMD4-27-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 383

Petitioner: EDWARD Palisik

Location: 1128 Maple Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: HJR Contractors Inc.

ADDRESS: P.O. Box 15453

PHONE NUMBER: 391-6811

AJ:ggs

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 4, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-384-A (Item 383)
1128 Maple Road
W/S Maple Road, 395' N of Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner(s): Edward Palsaik and Janet Palasik

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before May 7, 1995. The closing date (May 22, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Edward and Janet Palasik



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 15, 1995

Mr. and Mrs. Edward Palasik
1128 Maple Road
Baltimore, Maryland 21221

RE: Item No.: 383
Case No.: 95-384-A
Petitioner: Edward Palasik, et ux

Dear Mr. and Mrs. Palasik:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 4, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 362, 363, 364, 367, 372, 374, 380 and 383. ✓

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/05/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 8, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 372, 377, 380, 381, 382, 383,
384, 386, 388, 389 AND 390.

RECEIVED

MAY 8 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

5-9-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 383 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 23, 1995

Mr. and Mrs. Edward Palasik
1128 Maple Road
Baltimore, Maryland 21221

RE: Case No. 95-384-A
Petitioner: Edward Palasik

Dear Mr. and Mrs. Palasik:

Enclosed are copies of comments received from DEPRM on May 17, 1995 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Joyce Watson".

Joyce Watson

/jw

Enclosure

Case 884
Cmty 5/22



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director May 17, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #383 - Palasik Property
1128 Maple Road
Zoning Advisory Committee Meeting of May 8, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of this site must comply with the following Chesapeake Bay Critical Area Regulations:

1. Downspouts on the proposed addition must be directed to flow across the grass.
2. Impervious surfaces must not exceed 25% of the total lot (3500 square feet). Existing impervious surface equals approximately 2082 square feet and the proposed addition is 880 square feet. The remaining impervious surface allowable is 538 square feet.
3. 15% forest cover must be provided on site. Three large trees and two small trees must be planted to meet this requirement.

JLP:TJL:sp

c: Edward & Janet Palasik

PALASIK/DEPRM/TXTSBP

[Handwritten signature]

[Handwritten initials]

☒

See pages 5 & 6 of the CHECKLIST for additional required information

25-1-W-21-F-1-P



LOCATION INFORMATION *13* .
Location District:

1"=200' scale map# J.E. 2-7

Lot size: 32 14,000

acreage

square feet

WATER:

☒ ☐

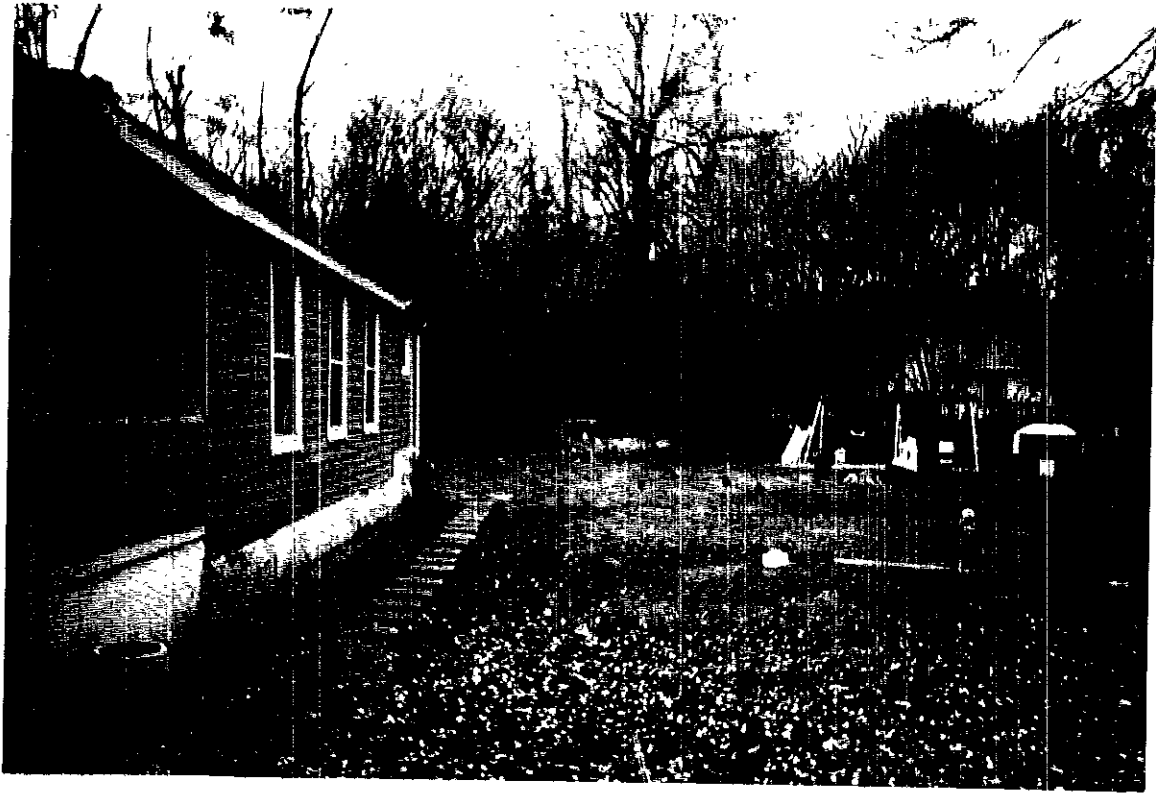
NONE

Reviewed by:	ITEM #:	CASE#:

303

303

95-384-A



Front.



Side.

95-384-A



Rear

PETITION PROBLEMS

AGENDA OF MAY 8, 1995

#380 --- JCM

1. Need typed or printed name of person signing for legal owner.
2. Need attorney (company is incorporated).
3. No existing zoning on folder.
4. No area on folder.
5. No election district on folder.
6. No councilmanic district on folder.

#381 --- MJK

1. No signature on petition forms for Donald E. Grempler (legal owner).

#382 --- JLL

1. Need attorney (company is incorporated).

#383 --- JLL

1. No item number on petition forms

#384 --- JCM

1. Who is legal owner?? William McMillan, Jr. is trustee for who?
2. Need authorization for Mr. McMillan to sign for legal owner.

#385 --- CAM

1. No telephone number for legal owner.

#386 --- CAM

1. Need authorization for Margaret Ruggieri to sign for contract purchaser.

#387 --- RT

1. No telephone number for legal owner.

#489 --- JJS

1. Need typed or printed name of person signing for legal owner.



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±
LOCATION HOLLY NECK
SHEET S.E. 2-J
DATE OF PHOTOGRAPHY JANUARY 1986

303

95-384-A

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Maple Road, 395' N of
Holly Neck Road
(1128 Maple Road)
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* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-384-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 1128 Maple Road, located in the vicinity of Holly Neck in the Cedar Beach subdivision. The Petition was filed by the owners of the property, Edward and Janet Palasik. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 52 feet in lieu of the required 75 feet, for a proposed 22' x 40' addition. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

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of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of May, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 52 feet in lieu of the required 75 feet, for a proposed 22' x 40' addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

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3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

May 23, 1995

(410) 887-4386

Mr. & Mrs. Edward Palasik
1128 Maple Road
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Maple Road, 395' N of Holly Neck Road
(1128 Maple Road)
15th Election District - 5th Councilmanic District
Edward Palasik, et ux - Petitioners
Case No. 95-384-A

Dear Mr. & Mrs. Palasik:

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In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Harold Bunnell
HJ & R Contractors, P.O. Box 15453, Baltimore, Md. 21221

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM: People's Counsel

File

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 1128 MAPLE ROAD

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 TO PERMIT A SIDE YARD AND STREET CENTERLINE SETBACK OF 20 FT AND 52 FT IN LIEU OF THE REQUIRED 50 FT AND 75 FT RESPECTIVELY (FOR A PROPOSED ADDITION)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

UNABLE TO BUILD HOUSE AND GARAGE ADDITION DUE TO 50' SET-BACK REGULATION. PROPERTY WOULD ONLY HAVE 20' - SEE ATTACHMENT.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

With so solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessor

Legal Owner(s)
EDWARD PALASIK
(Type or Print Name)
Signature
Edward Palasik

JANET PALASIK
(Type or Print Name)
Signature
Janet Palasik

Address
1128 MAPLE ROAD 574-6228
Baltimore MARYLAND 21221
City State Zipcode

Attorney for Petitioner
HAROLD BUNNELL; HJ & R CONTRACTORS
(Type or Print Name)
Address
P.O. BOX 15453 391-6811
City State Zipcode

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Affidavit in support of
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at 1128 MAPLE ROAD

Baltimore MARYLAND 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

UNABLE TO BUILD HOUSE AND GARAGE ADDITION TO HOME DUE TO 50' SET-BACK

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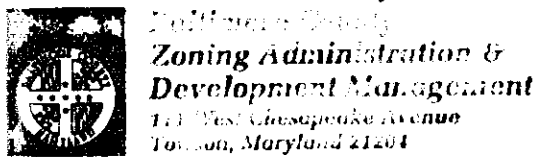
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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 5/1/95
Posted for: Variance
Petitioner: Edward & Janet Palasik
Location of property: 1128 Maple Rd. W/1
Location of Sign: Property, on property being zoned
Remarks: [Signature]
Number of Signs: 1



receipt
95-384-A

Account: R01-6150
Number: 383
BY JLL

4/27/95
1 RV MINN 010 50.00
1 SIGN 080 35.00
TOT. = \$85.00

CRITICAL
AREA

PALASIK
1128 MAPLE RD. PAID BY H. J. + R. C. [Signature]
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 383

Petitioner: EDWARD PALASIK

Location: 1128 Maple Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: HJR Contractors Inc.

ADDRESS: P.O. Box 15463

PHONE NUMBER: 391-6811

AJ:ggg

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 4, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-384-A (Item 383)
1128 Maple Road
W/8 Maple Road, 395' N of Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner(s): Edward Palasik and Janet Palasik

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 7, 1995. The closing date (May 22, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

[Signature]
Arnold Jablon
Director

cc: Edward and Janet Palasik



Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 15, 1995

Mr. and Mrs. Edward Palasik
1128 Maple Road
Baltimore, Maryland 21221

RE: Item No.: 383
Case No.: 95-384-A
Petitioner: Edward Palasik, et ux

Dear Mr. and Mrs. Palasik:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 4, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 362, 363, 364, 367, 372, 374, 380 and 383.

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by: [Signature]
Division Chief: [Signature]
PK/JL

ITEM362/PZONE/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-1500

DATE: 05/05/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 8, 1995.

Item No.: SEE BELOW

Zoning Agency:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the contents below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 372, 374, 380, 383, 384, 385, 386, 387 AND 388.

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4681, ME-1102F

cc: File



RECEIVED
MAY 8 1995
ZADM

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 383 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

[Signature]
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 23, 1995

Mr. and Mrs. Edward Palasik
1128 Maple Road
Baltimore, Maryland 21221

RE: Case No. 95-384-A
Petitioner: Edward Palasik

Dear Mr. and Mrs. Palasik:

Enclosed are copies of comments received from DEPRM on May 17, 1995 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,
[Signature]
Joyce Watson

/jw

Enclosure



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
May 17, 1995

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #383 - Palasik Property
1128 Maple Road
Zoning Advisory Committee Meeting of May 8, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of this site must comply with the following Chesapeake Bay Critical Area Regulations:

1. Downspouts on the proposed addition must be directed to flow across the grass.
2. Impervious surfaces must not exceed 25% of the total lot (3500 square feet). Existing impervious surface equals approximately 2082 square feet and the proposed addition is 600 square feet. The remaining impervious surface allowable is 538 square feet.
3. 10% forest cover must be provided on site. Three large trees and two small trees must be planted to meet this requirement.

JLP:ldj:sp
cc: Edward & Janet Palasik
PA: ASIE/DEPRM/EXTSBB

PETITION PROBLEMS
AGENDA OF MAY 8, 1995

#380 --- JCM

1. Need typed or printed name of person signing for legal owner.
2. Need attorney (company is incorporated).
3. No existing zoning on folder.
4. No area on folder.
5. No election district on folder.
6. No councilmanic district on folder.

#381 --- MJK

1. No signature on petition forms for Donald E. Grempler (legal owner).

#382 --- JLL

1. Need attorney (company is incorporated).

#383 --- JLL

1. No item number on petition forms

#384 --- JCM

1. Who is legal owner?? William McMillan, Jr. is trustee for who?
2. Need authorization for Mr. McMillan to sign for legal owner

#385 --- CAM

1. No telephone number for legal owner.

#386 --- CAM

1. Need authorization for Margaret Ruggieri to sign for contract purchaser.

#387 --- RT

1. No telephone number for legal owner.

#489 --- JJS

1. Need typed or printed name of person signing for legal owner.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1128 Maple Road see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CEDAR BEACH
plat book # 7, folio 186, lot # 13-A, 14-A, 15, section C 95-384-A
OWNER: EDWARD & JANET PALASIK

LOCATION INFORMATION

Election District: 15
Councilmanic District: 5
1"=200' scale map: 5-E 2-J
Zoning: RC-5
Lot size: 1.32 acreage 14,000 square foot
SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☒ yes ☐ no
Prior Zoning Hearings: NONE
Zoning Office USE ONLY!
reviewed by: JL ITEM #: 383 CASE #:

Map showing property boundaries, existing structures, and proposed additions. Includes a vicinity map and a north arrow.

Scale of Drawing: 1"=50'

date: 5-20-95
prepared by: ASB



Front

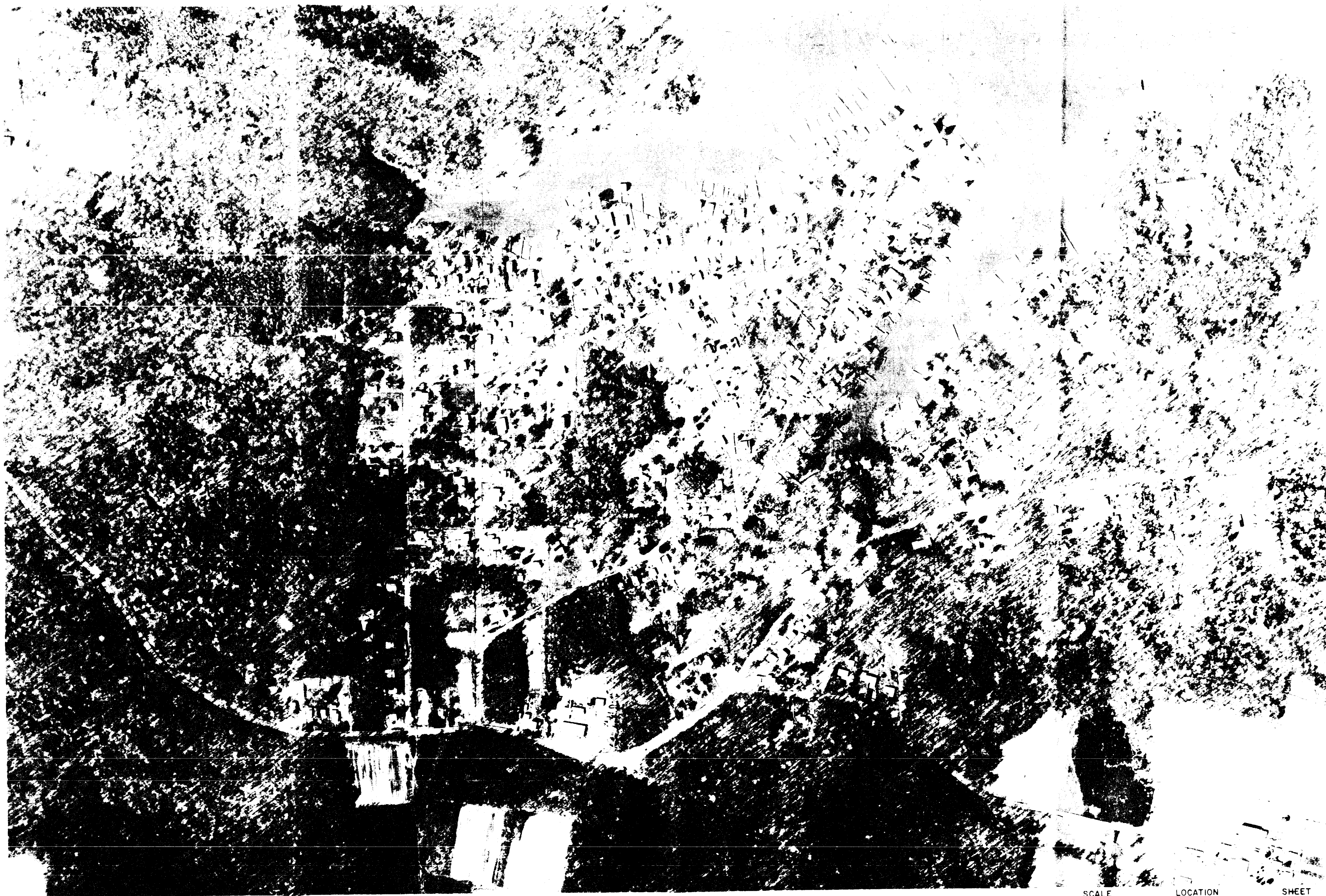


Side



Rear

95-384-B



383

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	HOLLY NECK	S E 2-J
DATE OF PHOTOGRAPHY JANUARY 1986		